

FORM PTO-1390
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

TCS-420.1P US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
09/529762
not yet assignedINTERNATIONAL APPLICATION NO.
PCT/US98/22145INTERNATIONAL FILING DATE
20 October 1998PRIORITY DATE CLAIMED
20 October 1997TITLE OF INVENTION
XENOGENEIC CHOLESTERYL ESTER TRANSFER PROTEIN (CETP) FOR MODULATION OF CETP ACTIVITY

APPLICANT(S) FOR DO/EO/US

C. Rittershaus and L. Thomas

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - a. Copy of published application
 - b. Copy of International Preliminary Examination Report, with attachments
 - c. verified statement re: small entity status
 - d. Printed copy of sequence listing with computer-readable copy on diskette
 - e. Statement under 37 C.F.R. 1.82 (f)

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not yet assigned 09/529762		PCT/US98/22145		TCS-420.1P US	
17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$840.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$760.00 <input checked="" type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	92 - 20 =	72	X \$18.00	\$	1296.00
Independent claims	17 - 3 =	14	X \$78.00	\$	1092.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$	260.00
TOTAL OF ABOVE CALCULATIONS =				\$	2648.00
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28). X 1/2				\$	1324.00
SUBTOTAL =				\$	1324.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	1324.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$	1324.00
				Amount to be:	\$
				refunded	
				charged	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1324.00</u> to cover the above fees is enclosed. (<i>check #3078</i>)</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>50-0268</u> in the amount of \$ <u>1324.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0268</u>. A duplicate copy of this sheet is enclosed.</p>					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Leon R. Yankwich Yankwich & Associates 130 Bishop Allen Drive Cambridge, MA 02139				 SIGNATURE: Leon R. Yankwich <hr/> NAME 30,237 <hr/> REGISTRATION NUMBER	

09/529762
422 Rec'd PCT/PTO 1 8 APR 2000
PATENT

PATENT COOPERATION TREATY
BEFORE THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Application of:	Rittershaus and Thomas
Application No.:	PCT/US98/21145
Filed:	20 October 1998
Priority Date:	20 October 1997
Entitled:	XENOGENEIC CHOLESTERYL ESTER TRANSFER PROTEIN (CETP) FOR MODULATION OF CETP ACTIVITY

Attorney Docket No.: TCS-420.1P US

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the correspondence listed below is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 in an envelope addressed to:

Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, on the date indicated below:

1. Transmittal Letter Form PTO-1390 concerning a filing under 35 U.S.C. 371;
2. Executed Declaration and Power of Attorney
3. Verified Statement claiming small entity status
4. Printed copy of sequence listing with computer-readable copy on diskette
5. Verified Statement under 37 C.F.R. 1.821(f)
6. Check No. 3078 in the amount of \$ 1324.00;
7. Copy of the published international application PCT/US98/21145 (WO 99/20302) ;
8. Copy of the international preliminary examination report with attachments.
9. Return Postcard

"Express Mail" Mailing Label Number:

EL378885444US

Date of Deposit: April 18, 2000

Stephanie L. Pytlak
Stephanie L. Pytlak